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PATENT

Attorney Docket No. A-58762-20  
Attorney File No.: 468267-00034

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

MEADE *et al.*

Serial No. 09/866,067

Filed: May 23, 2001

For: *Nucleic Acid Mediated  
Electron Transfer*

Examiner: LU, Frank Wei Min

Art Unit: 1634

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450 on:

Dated: May 23, 2006

Signed:   
Brent Yonchura

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
AND  
STATEMENT OF RELATEDNESS**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO/SB/8A. In accordance with 1287 Off. Gaz. Pat. Office 163 (October 19, 2004), no copies of U.S. patents and U.S. published applications are enclosed. Copies of foreign patents and non-patent literature, unless indicated otherwise below, are enclosed.

Further, in satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and as required by M.P.E.P. § 2001.06(b), Applicant notes that the present application is related to the following pending patent applications:

1. U.S.S.N. 10/279,742, filed October 23, 2002; U.S.S.N. 10/636,371, filed May 27, 2004;

06/01/2006 EAYALEW1 00000005 09866067

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Serial No.: 09/866,067  
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2. U.S.S.N. 08/873,978, filed June 12, 1997; U.S.S.N. 09/557,577, filed April 21, 2000; and
3. U.S.S.N. 09/096,593, filed June 12, 1998.

Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

Pursuant to 37 C.F.R. §1.97(c), enclosed is a check in the amount of \$180.00 as set forth in 37 C.F.R. §1.17(p). While no further fee is believed to be due, if this belief is in error, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our File No. 468267-00034; Our Docket No.: A-58762-20).

Please direct further questions in connection with this petition to the undersigned at (415) 781-1989.

Respectfully submitted,  
DORSEY & WHITNEY LLP

Dated: May 23, 2006 By:  
**Customer No.: 32940**  
555 California Street, Suite 1000  
San Francisco, CA 94104-1513  
Telephone: (415) 781-1989  
Facsimile: (415) 398-3249

  
Jeffery P. Bernhardt, Reg. No. 54,997 for  
Robin M. Silva, Reg. No. 38,304

*Filed Under 37 C.F.R. § 1.34*

Attachments: Form PTO/SB/8A-B, Substitute for form PTO 1449  
Copies of three (3) cited references  
Return Postcard  
\$180.00

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<p style="text-align: center;">Substitute for form 1449A/PTO (Modified)</p> <p style="text-align: center;"><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b></p> <p style="text-align: center;">(use as many sheets as necessary)</p>			<b>Complete if Known</b>	
			Application Number	09/866,067
			Filing Date	May 23, 2001
			First Named Inventor	MEADE, Thomas J.
			Art Unit	1634
			Examiner Name	LU, Frank Wei-Min
1	of	1	Attorney Docket Number	A-58762-20 (468267-00034)

#### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A1	US-5,272,056	12-21-1993	Burrows et al.	
	A2	US-6,153,737 B1	11-28-2000	Manoharan et al.	

#### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	B1	WO 93/07883 A1	04-29-1993	Isis Pharmaceuticals, Inc.		

#### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	C1	SCHUBERT, F., et al., "One-step labeling of oligonucleotides with fluoresceine during automated synthesis," <i>Nucleic Acids Res.</i> 18(11):3427 (Jun. 1990).	
	C2	BANNWARTH, W., et al., "A simple specific labeling for oligonucleotides by bathophenanthroline-Ru <sup>11</sup> complexes as nonradioactive label molecules," <i>Tetrahedron Lett.</i> 30(12):1513-1516 (1989).	

Examiner Signature	Date Considered
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\*EXAMINER: <sup>1</sup> These references were previously cited in a related application relied upon for an earlier filing date under 35 USC 120 and no copies are submitted in accordance with 37 CFR 1.98(d). Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>2</sup>Applicant's unique citation designation number (optional). <sup>3</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>7</sup> Applicant is to place a check mark here if English Language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the complete application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and selection option 2